

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

United States of America,)	
)	
Plaintiff,)	ORDER
)	
vs.)	
)	
Kevin Oscar Grady,)	
)	Case No. 1:21-cr-208
Defendant.)	

Defendant is charged in an Indictment with three counts of abusive sexual contact of a child in violation of 18 U.S.C. § 2244(a)(5). Following a detention hearing on November 10, 2021, the court ordered him detained pending a residential reentry placement.

On January 19, 2022, defendant filed a Motion to Modify Order of Detention. (Doc. No. 28). Defendant is presently suffering from a myriad of health issues for which he is presently hospitalized. He is likely to remain hospitalized for the immediate future and will require extensive treatment in the coming weeks. He requests to be released from custody while he attends to his medical needs. The United States has advised that it does not oppose defendant's temporarily release subject to conditions.

As defendant will remain hospitalized in the near term, the United States Marshal is presently required to maintain a presence at the hospital until defendant is discharged, and defendant is likely to require intensive daily treatment following his discharge, the court is inclined to release him. Accordingly, defendant's motion (Doc. No. 28) is **GRANTED** and defendant is released pending further order of the court and subject to the following conditions:

- (1) Defendant shall execute releases so that the Pretrial Services Office can monitor his

treatment; and

- (2) Defendant shall not knowingly or intentionally have any direct or indirect contact with the alleged victim(s), except that counsel for the defendant, or counsel's agent or authorized representative, may have such contact with such person(s) as is necessary in the furtherance of the defendant's legal defense.

While defendant is hospitalized, the court shall stay imposition of the conditions of pretrial release mandated by the Adam Walsh Child Protection and Safety Act of 2006. The court shall schedule a status conference with the counsel on January 24, 2022, at 1:30 PM by telephone to assess, among other things, defendant's proposed living arrangements and treatment plan following his discharge from the hospital. To participate in the conference, counsel should call (877) 810-9415 and enter access code 8992581.

IT IS SO ORDERED.

Dated this 19th day of January, 2022.

/s/ Clare R. Hochhalter
Clare R. Hochhalter, Magistrate Judge
United States District Court